

Interview Summary

Application No.

10/085,454

Applicant(s)

NELMS ET AL.

Examiner

Cassandra Davis

Art Unit

3611

All participants (applicant, applicant's representative, PTO personnel):

(1) Cassandra Davis.

(3) _____.

(2) Aaron R. Feigelson.

(4) _____.

Date of Interview: 29 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 32,33,39-42,46-49,53 and 54.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Agreed to cancel claims described in the attached examiner's amendment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



Attorney Docket No. 11677/00801

DSC-7A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. application: David NELMS, Betty SCHICK, Kim WILSON and Roger C. HOCHSCHILD

For: NON-RECTANGULAR SHAPED CREDIT CARD WITH CASE

U.S. Serial No.: 10/085,454

Confirmation No.: 1815

Filed: February 27, 2002

Group Art Unit: 3611

Examiner: Cassandra Hope Davis

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAY 14 2004

GROUP 3600

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 4, 2004

Date of Deposit

Douglas A. Sorensen

Name of Applicant, Assignee, or Registered Representative

Signature

May 4, 2004

Date of Signature

Dear Sir:

**THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants wish to bring the following item to the attention of the Examiner. A copy of each document is enclosed for the convenience of the Examiner.

No representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of this material in any way reflects its relative pertinence.

The reference cited below is not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that the items listed below are properly citable against the above-identified application.

/CD/ 1) Collins et al., U.S. Patent Application Serial No. 09/611,320, filed July 6, 2000;

05/10/2004 STEUMEL1 00000028 181260 10085454


01 FC:1806 180.00 DA

Serial No. 10/085,454

- /CD/ 2) Pentz et al., U.S. Provisional Application Serial No. 60/263,756, filed January 25, 2001;
- /CD/ 3) Hochschild, U.S. Patent No. D457,556 S, issued May 21, 2002; and
- /CD/ 4) Canadian Published Application No. 2,300,241 (Weatherford), published March 8, 2000.

As this Supplemental Information Disclosure Statement is being filed after the first Office Action, but before the mailing date of either a final Office Action under § 1.113, or a Notice of Allowance under § 1.311, whichever occurs first, the required fee of \$180.00 under 37 C.F.R. § 1.97(c)(2) for the submission of the Supplemental Information Disclosure Statement is required. A Response Transmittal and Fee Authorization for the \$180.00 under 37 C.F.R. § 1.97(c)(2) is submitted herewith. In the event that the Response Transmittal and Fee Authorization is not present, is not sufficient, or is not acceptable, please charge any fee (other than issue fee) required during the pendency of this U.S. patent application to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Respectfully submitted,

By: 
Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicants

DAS/rb
SIDLEY AUSTIN BROWN & WOOD LLP
717 North Harwood, Suite 3400
Dallas, Texas 75201-6507
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(214) 981-3300 (Main)
(214) 981-3400 (Facsimile)
May 4, 2004

/Cassandra Davis/

06/25/2007

PUBLISHED APPLICATIONS

	<u>Publication Number</u>	<u>Publication Date</u>	<u>Inventor</u>
/CD/	US 2002/0092914 A1	7/18/02	Pentz et al.

U.S. PATENT DOCUMENTS

	<u>Patent Number</u>	<u>Date</u>	<u>Inventor</u>
/CD/	D456,814	5/7/02	Pentz
/CD/	D460,454	7/16/02	Pentz
/CD/	D460,455	7/16/02	Pentz

The Applicants specifically reserve all rights of privilege and confidence with respect to this matter and submission of this document is not to be construed as a waiver of those rights. The identification of references is not to be construed as an admission by the Applicants that the references constitute prior art to the Applicants' invention.

In accordance with 37 C.F.R. § 1.97(b), this Supplemental Information Disclosure Statement is being submitted prior to the mailing of the first Official Action. Thus, Applicants believe no fee is required. However, if the Commissioner deems otherwise, the Commissioner is authorized to debit our Deposit Account No. 19-2165 for any fees required.

Dated: July 25, 2002

Respectfully submitted,

/Cassandra Davis/

06/25/2007



Hugh A. Abrams
Reg. No. 31,937
Attorney for Applicants

Sidley Austin Brown & Wood
Bank One Plaza
10 S. Dearborn Street
Chicago, IL 60603

11-19-03

14/153 3611
8. Smith
12/29/03

Docket No. (DSC-7A) 11677/00801



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. application: David NELMS et al.
For: NON-RECTANGULAR SHAPED CREDIT CARD WITH
CASE
U.S. Serial No.: 10/085,454 ✓
Confirmation No.: 1815
Filed: February 27, 2002
Group Art Unit: 3611
Examiner: Cassandra Hope Davis

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GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

EXPRESS MAIL MAILING LABEL No.: EV 411783534 US
DATE OF DEPOSIT: NOVEMBER 18, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Derrick Gordon

Name of Person Mailing Paper or Fee

Derrick Gordon
Signature

NOVEMBER 18, 2003

Date of Signature

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants wish to bring the following additional items to the attention of the Examiner. A copy of each document is enclosed for the convenience of the Examiner.

The following documents were cited by the Examiner concerning counterpart U.S. Application No. 29/163,840:

- /CD/ 1) Glass, U.S. Patent No. 3,242,959, issued March 29, 1966;
/CD/ 2) Watson, U.S. Patent No. 3,606,777, issued September 21, 1971;

11/21/2003 JBALINAW 00000129 181260 10085454

01 FC:1806 180.00 DA


/Cassandra Davis/

1

06/25/2007

Second Supplemental Information Disclosure Statement
Application Serial No. 10/085,454
Docket No. (DSC-7A) 11677/00801

/CD/

- 
- 3) Archer, U.S. Patent No. 3,650,210, issued March 21, 1972;
 - 4) Halasz, U.S. Patent No. Des. 302,074, issued July 11, 1989;
 - 5) Prey, U.S. Patent No. Des. 324,305, issued March 3, 1992;
 - 6) Ritter, U.S. Patent No. 5,217,056, issued June 8, 1993;
 - 7) Campbell, U.S. Patent No. Des. 381,499, issued July 29, 1997;
 - 8) Holihan, U.S. Patent No. Des. 411,765, issued July 6, 1999;
 - 9) Rose, U.S. Patent No. 6,011,677, issued January 4, 2000;
 - 10) Davis, U.S. Patent No. 6,155,410, issued December 5, 2000;
 - 11) Kawamura, U.S. Patent No. D470,657 S issued February 25, 2003; and
 - 12) Nelms et al., U.S. Patent No. D474,234 S, issued May 6, 2003.

The following documents were cited in the International Preliminary Examination Report (copy enclosed) dated October 21, 2003, concerning counterpart international application PCT/US02/22933:

/CD/ 13) Hynes et al., U.S. Patent No. 3,838,252, issued September 24, 1974;

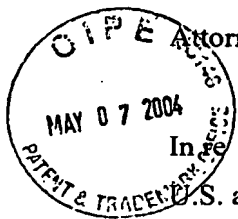
/CD/ 14) Poore et al., U.S. 6,202,933 B1, issued March 20, 2001; and

/CD/ 15) Yang, U.S. 6,224,109 B1, issued May 1, 2001.

No representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of this material in any way reflects its relative pertinence. The references cited above are not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that the items listed above are properly citable against the above-identified application.

/Cassandra Davis/

06/25/2007



Attorney Docket No. 11677/00801

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GROUP 3600

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May 4, 2004

Date of Deposit

Douglas A. Sorensen

Name of Applicant, Assignee, or Registered Representative

Signature

May 4, 2004

Date of Signature

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Respectfully submitted,

By: _____


Douglas A. Sorensen
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(214) 981-3300 (Main)
(214) 981-3400 (Facsimile)
May 4, 2004

/Cassandra Davis/

06/25/2007

EXPRESS MAIL "MAILING LABEL" NUMBER:
EL708153430US

DATE OF MAILING: FEBRUARY 27, 2002

Our File No. DSC-7A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David W. Nelms et al.)
Serial No. Not yet assigned)
Filing Date: Herewith)
For NON-RECTANGULAR SHAPED)
CREDIT CARD WITH CASE)

11046 U.S. PTO
10/085454
02/27/02

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
2900 Crystal Drive
Arlington, Virginia 22202-3513
Attn.: Box Patent Applications

Dear Sir:

Applicants submit herewith a copy of the following references for consideration of the Patent and Trademark Office in connection with the above-identified application. These same references are also listed on the attached PTO Form 1449.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>
/CD/ 4,100,011	July 11, 1978	Foote
/CD/ 4,739,877	April 26, 1988	Olson
/CD/ 4,829,690	May 16, 1989	Andros
/CD/ 5,020,255	June 4, 1991	Rodel
/CD/ 5,520,230	May 28, 1996	Sumner, III
/CD/ 5,718,329	February 17, 1998	Ippolito et al.

U.S. Patent No.
/CD/ 6,155,410

6,248,199

/CD/ Des. 419,289

Issue Date
December 5, 2000

June 19, 2001

January 25, 2000

Inventor
Davis

Smulson

Edwards

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Dated: February 27, 2002

Respectfully submitted,



Hugh A. Abrams
Reg. No. 31,937
Attorney for Applicants

/Cassandra Davis/

06/25/2007

Sidley Austin Brown & Wood
Bank One Plaza
10 S. Dearborn Street
Chicago, IL 60603

U.S. PATENT DOCUMENTS

<u>Patent Number</u>	<u>Date</u>	<u>Inventor</u>
/CD/ D453,160	1/29/02	Pentz et al.
/CD/ D453,161	1/29/02	Pentz
/CD/ D453,336	2/5/02	Pentz et al.
/CD/ D453,337	2/5/02	Pentz et al.
/CD/ D453,338	2/5/02	Pentz et al.
/CD/ D453,339	2/5/02	Pentz
/CD/ D453,516	2/12/02	Pentz
/CD/ D453,517	2/12/02	Pentz

FOREIGN PATENT DOCUMENT

	<u>Number</u>	<u>Country</u>	<u>Date</u>
/CD/	0 379 921	EPO	1/15/90

The Applicants specifically reserve all rights of privilege and confidence with respect to this matter and submission of this document is not to be construed as a waiver of those rights. The identification of references is not to be construed as an admission by the Applicants that the references constitute prior art to the Applicants' invention.

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/Cassandra Davis/

06/25/2007